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Filing date: **06/29/2015**

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE
BEFORE THE TRADEMARK TRIAL AND APPEAL BOARD

| | |
|------------------------|---|
| Proceeding | 91211530 |
| Party | Defendant William T. Odonnell DBA Odonnell Entertainment |
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| Submission | Opposition/Response to Motion |
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| Date | 06/29/2015 |
| Attachments | Opposition to Opposers Motion to Compel and Extend.pdf(225500 bytes) |

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE
The Trademark Trial and Appeal Board

Serial No. 85/785,996
For the mark ADVENTURES OF SHADOW,

Registration No. 3,991,181
For the mark ADVENTURES OF SHADOW,

| | | |
|--|---|-----------------------------------|
| J-Lynn Entertainment, LLC, | : | |
| | : | |
| Opposer, | : | |
| | : | |
| vs. | : | Opposition No. 91211530 (Parent) |
| | : | Cancellation No. 92056491 (Child) |
| William T. Odonnell, d/b/a Odonnell Entertainment, | : | |
| | : | |

**APPLICANT’S OPPOSITION TO OPPOSER’S MOTION TO COMPEL AND
EXTEND OPPOSER’S TRIAL PERIOD**

COMES NOW the Applicant, William T. Odonnell, d/b/a Odonnell Entertainment (hereinafter “Applicant”), by and through counsel, The Trademark Company, PLLC, and files the instant Opposition to the Motion to Compel and Extend Opposer’s Trial Period filed by Opposer, J-Lynn Entertainment, LLC (hereinafter “Opposer”) stating as follows:

STATEMENT OF THE CASE

1. On or about May 26, 2015 Applicant, William T. Odonnell, attended his trial deposition noted by the Opposer in the instant case.
2. Prior to the Applicant’s trial deposition, Counsel for Applicant provided a copy of the Applicant’s deposition exhibits properly numbered and labeled as “Confidential” and/or “Trade Secret” as warranted to the Court Reporter.
3. On or about June 9, 2015 the Opposer filed a Motion to Compel seeking an Order from the Board extending Opposer’s trial period and compelling Counsel for Applicant to confirm the trial exhibits designated as “Confidential” and/or “Trade Secret” from Applicant’s Trial Deposition held on or about May 26, 2015.

4. Counsel for Applicant has not received a copy of Applicant's deposition transcript from the trial deposition held on May 26, 2015 from the Opposer.

5. Opposer's trial period closed in the instant case on or about June 12, 2015.

ARGUMENT

As of the date of filing of the instant opposition to Opposer's Motion to Compel and Extend, Counsel for Applicant has not received a copy of Applicant's transcript from the trial deposition held on or about May 26, 2015 from the Opposer. Upon Counsel for Applicant's receipt and review of the Applicant's deposition transcript from Opposer, Counsel for Applicant is willing to inform Opposer of the proper designation of the trial exhibits in question. As such, Applicant respectfully submits that Opposer's Motion to Compel and Extend should be denied and Opposer ordered to provide a copy of Applicant's trial deposition transcript to Counsel for Applicant.

Conclusion

WHEREFORE for good cause considered, the Applicant, by counsel, respectfully requests that the Board reject the Opposer's Motion to Compel and Extend Opposer's trial period in the instant case.

Respectfully submitted this 29th day of June, 2015.

THE TRADEMARK COMPANY, PLLC

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